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Attorney Docket # 5183-2CIP

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Guy CHARVIN et al.

Serial No.: 10/055,090

Filed: January 22, 2002

For: A Method And Apparatus For Picking Up  
Auditory Evoked Potentials

Assistant Commissioner for Patents  
Washington, DC 20231

Examiner:  
Group Art:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

March 6, 2002

(Date of Deposit)

March B. Pavane  
Name of applicant, assignee or Registered Representative

Signature

March 6, 2002

Date of Signature

**INFORMATION DISCLOSURE STATEMENT**

SIR:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO 1449. Copies of the listed documents were submitted for the parent application, Serial No. 09/496,691.

It is respectfully requested that the above information be considered by the Examiner and that the copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

In accordance with 37 C.F.R §§1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56(b),

or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicants reserve the right to prove that the date of publication is in fact different.

If any fees or charges are deemed required at this time in connection with the application, the same may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAVANE

By: 

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Dated: March 6, 2002

## LIST OF REFERENCES CITED BY APPLICANT

Atty Docket No.: 5183-2CIP  
Serial No.: 10/055,090  
Applicant: Guy CHARVIN et al.

Filing Date: January 22, 2002  
Group Art:



### U.S. PATENT DOCUMENTS

*Ex. Intls.		Document No.	Date	Name	Class	Subclass	Filing Date
	AA	5,758,651	06/1998	Nygard et al	A6IN	1/04	12/1992
	AB	5,755,747	05/1998	Daly et al.	A6IN	1/14	03/1996
	AC	5,660,184	08/1997	Donehoo et al.	128	696	05/1995

### FOREIGN PATENT DOCUMENTS

*Ex. Intls.		Document No.	Date	Country	Name	Class	Subclass	Translation Yes/No
	AD	WO 97/48447	12/1997	PCT	Faltys et al.	A6IN	1/36	Yes
	AE	WO 97/09863	03/1997	PCT	Carter et al.	H04R	25/00	Yes
	AF	WO97/32629	09/1997	PCT	Weber et al.	A6IN	1/32	Yes

### OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AG		<i>Potentiels Evoques Auditifs</i> ("Auditory evoked potentials"), by J.M. G'uerit, 1993, published by Masson, PARIS, pp. 87-89
	AH		<i>Electrically evoked whole-nerve action potentials: Data from human cochlear implant users</i> , by Carolyn J. Brown et al., published in J. Acous T Soc AM, Vol. 88, No. 3, September 1990, pp. 1385-1391
	AI		French Search Report dated October 2000 (in French, with copies of cited art above)
	AJ		Ear & Hearing, April 2000, " <i>The Relationship Between EAP and EABR Thresholds and Levels Used to Program the Nucleus 24 Speech Processor: Data from Adults</i> ", Carolyn J. Brown et al., pp. 151-163
	AK		Ear & Hearing, April 2000, " <i>Comparison of EAP Thresholds with MAP Levels in the Nucleus 24 Cochlear Implant: Data from Children</i> ", Michelle L. Hughes et al., pp. 164-175

EXAMINER: \_\_\_\_\_

DATE CONSIDERED: \_\_\_\_\_

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.